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at 10.30 a.m.
New York

SUMMARY RECORD OF THE 61st MEETING

Chairman: Mr. O'DONOVAN (Ireland)
later: Mrs. MASMOUDI (Tunisia)

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The meeting was called to order at 10.55 a.m.

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued) (A/36/3, chaps. II, V, VIII, XIX, XXIII (Parts I and II), XXIV, XXVII, XXVIII, XXXII (Part I and Corr.1 and 2 and Part II), XXXIV (Parts I and II), XXXVI and XXXVII; A/36/61, 117, 136 and Add.1, 138, 179, 187, 209 and Add.1, 214, 216 and Add.1, 255, 284, 336, 354, 355, 378, 383, 421, 423, 500, 524, 540, 560, 566, 584, 594, 608, 705; A/C.3/36/3, 7 and 10; A/C.3/36/L.5, L.6, L.55, L.59, L.60, L.61, L.62, L.63, L.64, L.66, L.67, L.68, L.69, L.70, L.71, L.72, L.73, L.74, L.75, L.77, L.78, L.81, L.82)

AGENDA ITEM 129: INTERNATIONAL CAMPAIGN AGAINST THE DRUG TRAFFIC (continued) (A/36/193; A/C.3/36/L.80)

AGENDA ITEM 138: NEW INTERNATIONAL HUMANITARIAN ORDER (continued) (A/36/245; A/C.3/36/L.65)

1. The CHAIRMAN said that, since the speakers on his list for the general debate on agenda items 12, 129 and 138 were not yet ready to make their statements, the meeting would be suspended for 10 minutes.
2. The meeting was suspended at 11 a.m. and resumed at 11.10 a.m.
3. Miss FERNANDO (Sri Lanka), referring to agenda item 12, said that the question of regional arrangements for the promotion and protection of human rights had been under consideration in the context of United Nations activities in the field of human rights for about a decade. The most recent action in that respect had taken place on the African continent, and the Organization of African Unity should be commended for having adopted the African Charter of Human and Peoples' Rights at the recent meeting in Nairobi.
4. Two years earlier, her delegation in the Third Committee had expressed her country's willingness to provide the venue for a seminar to discuss the question of promotion and protection of human rights in the Asian region. During the past year, the Government of Sri Lanka had held extensive consultations with member States of ESCAP in preparation for the seminar, which could be held in 1982.
5. Her delegation had noted with concern that the number of refugees on the African continent now represented more than half the world refugee population. It had read with interest the documents on the situation of refugees in Somalia, Djibouti and Sudan, and it hoped that the relevant resolutions calling for increased assistance to the affected countries would be adopted by consensus.
6. With respect to the right to education, her delegation reiterated its traditional support for the universal application of that right and reaffirmed that it was of paramount importance for the full development of the human personality and for social progress, national development and international understanding.

7. Mr. BLUM (Israel) said that many international bodies, including the United Nations Commission on Human Rights and the Third Committee, devoted a large part of their annual discussions to violations of human rights, especially the rights of minorities. It was regrettable that those bodies did not concern themselves with the injustices done to all minorities and all groups that were deprived of their rights, but instead chose the easy way, dealing almost exclusively with issues in which the numerical majority of the Organization had an interest: issues that served the propaganda purposes of certain countries that were often among the most flagrant violators of human rights.

8. The State of Israel was always on the alert to protect the basic rights and freedoms of Jewish minorities, particularly in the Soviet Union and the Moslem world, where such minorities were subjected to discriminatory measures. The situation of Jews in the Soviet Union was alarming. Not content with ignoring their international obligations, preventing Jewish emigration and interfering with the observance of the Jewish religion, the Soviet authorities had, in recent months, taken direct and deliberate steps for the complete elimination from their territory of the culture of nearly 3 million Jews, comprising a fifth of the total world Jewish population.

9. Since the beginning of the year, despite the efforts of Soviet censorship, reliable information had been received in the West of more than 70 specific cases of harassment, threats, detention and imprisonment of Jews for one common reason alone: their desire to maintain, foster and uphold their Jewish cultural heritage. That desire was reflected in such activities as private or group study of the history of the Jewish people and the Hebrew language, the holding of memorial ceremonies for the victims of the Nazi holocaust, the organization of cultural programmes and the possession of Jewish books.

10. Mrs. KRAVCHENKO (Union of Soviet Socialist Republics), speaking on a point of order, requested the Chairman to urge the representative of Israel to confine himself to the agenda item before the Committee, and not to make unfounded and slanderous allegations against the Soviet Union.

11. The CHAIRMAN pointed out that the Committee was examining agenda item 12, the report of the Economic and Social Council, which included a section on the question of human rights. As he had stated on other occasions, the Chair could not prevent delegations from referring to the internal situation in other countries. Many delegations had done so during the session, including the delegation of the Soviet Union.

12. Mr. BLUM (Israel) said that it was characteristic of the Soviet delegation to react so strongly when violations of human rights in its country were under consideration in the Third Committee. It was nevertheless regrettable that a point of order had been raised for the purpose of sowing disorder in the Committee's discussions.

13. The pattern of repressive acts against the Jewish people could only be interpreted as a concerted effort on the part of the Soviet authorities to bring about the spiritual extinction of the Jewish people in the Soviet Union and to destroy the national identity of the 3-million-strong Jewish minority, by

(Mr. Blum, Israel)

forbidding the transmission of their spiritual heritage from father to son and from one Jew to another. Not since the inglorious days of Nazism had the world seen such efforts to annihilate a people. The Jews in the Soviet Union would nevertheless outlive those efforts, since such methods had never been of any avail.

14. The Third Committee was aware of the difficulties the Soviet Union had had in joining the consensus on the Declaration on the Elimination of All Forms of Religious Intolerance. Those difficulties might have surprised representatives familiar with the laws and Constitution of the Soviet Union, which nominally guaranteed religious freedom to all individuals and to all denominations. They were not so surprising, however, when it was seen that, as part of the efforts of that super-Power to suppress the spiritual existence of the Jewish minority, the Soviet authorities had begun to confiscate Jewish ritual objects, such as sacred candlesticks. The international community must demand that the Soviet Union should fulfil its obligations under the Declaration on the Elimination of all Forms of Religious Intolerance and under the Universal Declaration of Human Rights and, above all, under the provisions of its own Constitution.

15. Over the years Israeli representatives had alerted Members of the United Nations to the fact that the Soviet authorities had denied their Jews another basic human right: that of emigrating to Israel or elsewhere. The Soviet authorities had subjected the exercise of that right to an extraordinary maze of restrictive regulations, fines and punishments, all designed to impede the exit of those who wished to be reunited with their families or to live in Israel. Yet in spite of the harassment, thousands of Jews every year had run the risk and applied for exit permits. In the past year the harassment of Jews applying to leave the Soviet Union had been stepped up and the number of permits issued had been severely reduced, so that thousands of applications had piled up at the Soviet department that dealt with them. Two years earlier, an average of 4,000 Jews had been allowed to leave the country; today, the number had fallen to a tenth, namely, about 400 a month. Given those figures, it could be said that for all practical purposes the gate had been closed to Jews seeking to emigrate. That policy was in flagrant violation of the international obligations of the Soviet Union, including the Helsinki Agreement of 1975.

16. The situation was all the more tragic for those Jews who had been trying for up to ten years to join their families in Israel and those who had been thrown into prisons or labour camps or exiled to Siberia for standing up for their principles and demanding their right to live as Jews in the Soviet Union or emigrate to Israel. It might be wondered what benefit the Soviet Union derived from holding hostage Anatoly Scharansky (an engineer), Ida Nudel (an economist), Victor Brailovsky (a physicist) and the latest victim Alexander Paritsky, a scientist who had been stripped of his academic degree and sentenced to three years' hard labour for organizing a seminar on Jewish history. The delegation of Israel considered that the time had come for the Third Committee, which was concerned with questions relating to the human rights of many national minorities in the world, to devote more time and attention to the denial of the human rights of Jews in the Soviet Union.

(Mr. Blum, Israel)

17. He drew attention to another group of beleaguered Jews deprived of their rights only because they were Jews. It was the situation in Syria, where 4,500 Jews, the last remnants of a once great community, were to all intents and purposes held hostage. For several decades, those Jews had lived in conditions of abject fear, humiliation and deprivation. The Syrian authorities denied them the most elementary human rights to which they were entitled under all the conventions and declarations of which the Government of Syria was a signatory. He reiterated his country's appeal to the Government of Syria to let those few thousands of helpless Jews leave the country.

18. Mr. FERGUSON (Australia), referring to the procedures for dealing with human rights situations throughout the world, raised the following questions concerning selectivity. How and why had certain situations been selected for consideration? Were there any clearly stated principles or criteria to enable delegations to identify situations of mass and flagrant violation of human rights and guard against arbitrary or politically expedient choices? Was sufficient consideration given to all the factors involved in situations involving abuses of human rights, including abuses of human rights by extremist or terrorist groups whose aim was the overthrow of legitimate governments or the creation of conditions of anarchy?

19. Widespread abuses of human rights were invariably complicated and there were no easy answers to those questions. However, all Member States shared a joint responsibility for the protection and promotion of human rights and it was a fundamental tenet of Australia's position that the relevant bodies of the United Nations should be concerned about human rights violations wherever they occurred. Action taken by the United Nations on one situation could not be invalidated on the ground that other comparable or even worse situations had not been considered.

20. The basic objective of delegations in focusing on any given situation, however, should not be to condemn or isolate a Government, but rather to seek its co-operation with the United Nations in finding ways for the early restoration of the human rights of all individuals. Delegations should be motivated by humanitarian concern for the victims of human rights abuses, particularly those who, in a deteriorating situation, had nowhere to turn for help except the international community. Beyond humanitarian concern there were other principles on which there was widespread agreement, perhaps the most important being the right of peoples to self-determination. In that context, the situations in southern Africa and the Middle East had long been the subject of United Nations inquiry. Apartheid, of course, was the most repugnant of human rights violations systematized by a State. More recently, the situations in Kampuchea and Afghanistan, which had given rise to mass exoduses of refugees, had been of urgent concern to the international community. While the principle of the right of peoples to self-determination had been violated in each of those cases, it was also apparent that different approaches had been devised according to the particular characteristics of each case.

21. In recent years there had been a tendency to focus disproportionately on the human rights situation of countries in Latin America. Situations in that

(Mr. Ferguson, Australia)

region certainly gave serious cause for concern and could not be ignored, but it would be a mistake to interpret the activity of the monitors of those situations and the comparative wealth of information on them as implying that situations of equal or greater concern did not exist elsewhere. The fact that abuses of human rights had taken place and were still taking place in many other parts of the world should not be ignored.

22. Regarding the report of the Special Rapporteur on the human rights situation in Chile, the conclusion that the situation there had not improved over the past year was based on a thorough study, albeit from secondary sources. Had the Special Rapporteur received co-operation from the Chilean Government, he might have been able to throw more light on some aspects of his report. For example, in the absence of any satisfactory explanation, the Australian delegation would hope that the case of the recent expulsion of four significant political figures, among them, Mr. Jaime Castillo, President of the Chilean Human Rights Commission, might be reviewed in order to facilitate the return of those people to their homes.

23. Australia supported resolution 32 (XXXVII) of the Commission on Human Rights on the situation in El Salvador. His country was deeply concerned about the tragic circumstances prevailing in that country and the abuses of human rights perpetrated by armed forces of various political persuasions. It had become clear that a political settlement must be reached and the international community must encourage and support action to that end.

24. The ramifications of the situation in El Salvador were of foremost concern to the countries in the region, some of which, notably Guatemala, were confronted with similar instability. The Commission on Human Rights had examined the situation and had requested the Secretary-General to continue his efforts to establish direct contact with the Government of Guatemala. According to available information, no substantial contact had yet been made and his delegation trusted that the Government of Guatemala would enable the Secretary-General to carry out his mission.

25. Abuses of human rights had also been occurring in Iran. Since June of the present year there were estimated to have been large numbers of executions, most of them summary executions. His country had been particularly concerned about the persecution of the Baha'i population.

26. The interesting initiative of Jordan in calling for examination of the establishment of a new international humanitarian order merited studious consideration. Among the more important issues which might be addressed in that context was the need for efforts to be concentrated on missing persons and on the elimination of torture.

27. The proposal to establish a United Nations voluntary trust fund for the victims of torture, which was expected to be endorsed at the current session of the General Assembly, was indicative of the potential of the United Nations to direct resources to areas of genuine humanitarian need.

28. Mrs. NGOC DUNG (Viet Nam), referring to agenda item 12, briefly outlined the human rights situation in Viet Nam five years after the departure of the last aggressor. She said that, for the first time in more than a century, the people of the whole territory were enjoying the right to self-determination and to full control of their natural wealth and resources, fundamental rights set forth in article 1 of the International Covenant on Civil and Political Rights. Thousands of new villages and settlements were springing up throughout the country. Every day 50 million pupils were attending school.
29. In the southern part of the country, where medical centres had previously catered solely to private patients, a network of medical services had been set up. More than 1 million orphans were being cared for by the State or by the population at large. Four years after the liberation of the southern part of the country, illiteracy had been totally eradicated.
30. Although the Western press liked to describe Viet Nam as hell on earth, the authors of such reports were the hypocritical champions of human rights who, for the most part, had been in the ranks of the supporters of the war of destruction waged by the United States of America.
31. The great achievements in the field of national rehabilitation which had reawakened in millions of people, traumatized and dehumanized by the brutal war of aggression, the joy of labour and of life, could not be measured in dollars or kilowatt/hours. For the Vietnamese people, those achievements were a source of legitimate pride.
32. Viet Nam was fully aware of the enormous problems that had to be confronted in the struggle for development: the lack of skilled manpower, rapid population growth, incipient industrialization, lack of experience in economic management, technological and scientific backwardness, and frequent natural disasters. Consequently, the achievement of human rights was still unsatisfactory where certain basic needs of the population were concerned. The enormous task of physical and moral rehabilitation, national reconstruction and the achievement of human rights was being hampered by the difficulties created by frontier wars and by the economic blockade, aimed at destabilizing the country.
33. The most recent cases of violations of human rights in the form of conspiracies, military attacks, subversive acts or blockades against young, newly-independent countries merited special attention as examples of a deliberate policy on the part of retrograde forces which were bent on impeding the social and economic transformation of peoples.
34. In the opinion of her delegation, there were no moral or legal grounds for any country arrogating to itself the functions of international judge in respect of the internal affairs of other countries and taking it upon itself to embark, in the name of human rights, on punitive wars against those countries or to impose other sanctions upon them. However, in recent weeks, a major imperialist Power had openly threatened to go to war against Cuba and against the young republics of Nicaragua and Grenada and had undertaken large-scale military manoeuvres in the Caribbean with a view to destabilizing and attacking those countries. Such steps were flagrant violations of the human rights of the peoples

(Mrs. Ngoc Dung, Viet Nam)

of El Salvador, Nicaragua, Grenada and Cuba, and had been rightly condemned by several Governments, including that of Viet Nam.

35. It was well known that the countries which allowed themselves the luxury of preaching human rights with the intention of interfering in the internal affairs of other States were the scene of the most tragic instances of human rights violations, such as the extermination of ethnic minorities, radical intolerance and exploitation of prostitution on an industrial scale.

36. Even more serious, however, was the manufacture and large-scale trafficking by those countries in advanced weapons of death and destruction; that was totally incompatible with even minimal respect for human rights. That war-mongering policy created a dangerous psychosis of indifference to human life and encouraged the resurgence of racist and terrorist groups among the young.

37. Her delegation accordingly shared the concern of the many countries sponsoring draft resolution A/C.3/36/L.70. It was to be hoped that it would attract broad consensus in the Third Committee, given that its content was completely in line with the interests of the majority of delegations.

38. With respect to the work of the Commission on Human Rights at its thirty-seventh session, the efforts of Member States to consider problems relating to violations of human rights in the Middle East, Africa and Latin America were praiseworthy, but it was regrettable that at that session the Commission on Human Rights had again adopted a resolution on Kampuchea, the content of which was deliberately confusing and failed to reflect the real situation in Kampuchea. That attempt to blame the most odious violations of the human rights of the Kampuchean people on the new regime gave the stamp of approval to crime and impugned the honesty of the Commission on Human Rights. The Council of State of the People's Republic of Kampuchea had rejected that resolution, and the Government of Viet Nam supported the position of Kampuchea in that respect.

39. Mrs. Masmoudi (Tunisia) took the chair.

40. Mr. OGURTSOV (Byelorussian Soviet Socialist Republic) requested permission to exercise the right of reply.

41. The CHAIRMAN pointed out that under paragraph 8 of General Assembly decision 34/401, delegations should exercise their right of reply at the end of the day whenever two meetings had been scheduled for that day and were devoted to the consideration of the same item.

42. Mr. EL-FATTAL (Syrian Arab Republic) said that, for his part, he needed to exercise the right of reply so that his reply would be included in the same record as the statement to which it referred: to postpone the exercise of the right of reply until the end of the discussions on an item would weaken the meaning of the reply. As usual, the problem was that the representative of Israel had distorted the facts, but in deference to the will of the General Assembly, his delegation would exercise its right of reply at the afternoon meeting.